

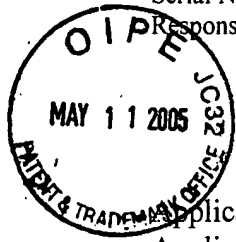
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Attorney Docket No. AUS9-2000-0655-US1

Serial No. 09/731,651

Response to Notice of Non-compliant amendment mailed 04/19/2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/731,651
Applicant: Malcolm
Filing Date: 12/07/2000
Group Art Unit: 2178
Title: Method and Apparatus for Filling Out Electronic Forms

RESPONSE TO NOTICE OF NON-COMPLAINT AMENDMENT

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

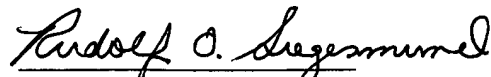
On 04/19/2005, the Primary Examiner mailed a notice of non-compliant amendment. The cause of the non-compliance was noted to be: "4E. Other: The claims contain unreadable limitations."

The amendment to which the notice of non-compliance is directed is to a response filed by fax transmission on 8/6/04. The amendment responded to a non-final office action mailed by the examiner on 5/6/2004. When the amendment was filed by fax transmission on 8/6/04, applicant's attorney received a confirmation from his fax machine, and also a USPTO automatically generated receipt. On 3/28/2005, at the request of the examiner, the amendment was refaxed to the examiner's personal fax number 571-273-4122. A confirmation from the sender's machine indicated that this fax was successfully sent. The examiner did not contact applicant's attorney regarding any problem with this fax. However, on 4/19/2005, Cesar Paula, Primary Examiner for Art Unit 2178, mailed a notice of non-complaint amendment.

The notice of non-complaint amendment stated that the reason for non-compliance was that the "claims contain unreadable limitations." Because the attorney for the applicant did not understand what was meant by the claims containing "unreadable limitations," attorney for applicant called the examiner. On 4/27/05, applicant's attorney spoke with examiner Londra C. Burge and inquired how the claims contained unreadable limitation. Examiner Burge stated that the top of the first claim was cut off, either by the fax transmission or during scanning of the fax transmission at the USPTO. Because the fax was sent twice to two different USPTO numbers (the second being the examiner's personal fax number), and because the problem, according to the examiner, was either in faxing or scanning of the fax transmission into the USPTO system, attorney for applicant determined that the best way to ensure a clear copy of the response was received would be to send a hard copy of the amendment by Express Mail.

A copy of the original response and the fax confirmations and transmittals is attached to this response as Exhibit A.

Respectfully submitted,



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Attorney Docket No. AUS9-2000-0655-US1

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Express Mail Label No. ER392173161 US Date of Deposit: 5/11/05

I hereby certify that this paper and fee are being deposited with the United States Postal Service Express Mail Post Office to Addressee service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents and Trademarks, Washington, D.C. 20231.

Rudolf O. Siegesmund
Rudolf O. Siegesmund